

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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STEPHANIE GORDON,

Plaintiff,

vs.

CITY OF HENDERSON,  
HENDERSON POLICE DEPARTMENT,

Defendants.

2:19-cv-01045-APG-VCF

**REPORT AND RECOMMENDATION FOR  
DISMISSAL**

On July 2, 2019, the Court granted Plaintiff Stephanie Gordon's application to proceed *in forma pauperis*. (ECF Nos. 1, 3). The same day, the Court dismissed Plaintiff's complaint without prejudice. (ECF No. 3). The Court found that each of Plaintiff's counts failed to state a claim. (*Id.* at 3-5). The Court gave Plaintiff until July 26, 2019 to file an amended complaint. (*Id.* at 5).

Plaintiff has filed neither an amended complaint nor an objection to the Court's Order. For the reasons discussed in the Court's July 2, 2019 Order (ECF No. 3), Plaintiff's complaint should be dismissed without prejudice and the case should be closed.

ACCORDINGLY, and for good cause,

IT IS RECOMMENDED that this action be DISMISSED WITHOUT PREJUDICE and Judgment entered, accordingly.

**NOTICE**

Pursuant to Local Rule IB 3-1, any objection to this Order must be in writing and filed with the Clerk of the Court within 14 days. The Supreme Court has held that the courts of appeal may determine

1 that an appeal has been waived due to the failure to file objections within the specified time. *See Thomas*  
2 *v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the  
3 specified time and (2) failure to properly address and brief the objectionable issues waives the right to  
4 appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez*  
5 *v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th  
6 Cir. 1983).

7 Pursuant to LR IA 3-1, the Plaintiff must immediately file written notification with the court of  
8 any change of address. The notification must include proof of service upon each opposing party or the  
9 party's attorney. **Failure to comply with this Rule may result in dismissal of the action.** (*See* LR IA  
10 3-1).

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12 IT IS SO RECOMMENDED.

13 DATED this 29th day of July, 2019.

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17 CAM FERENBACH  
18 UNITED STATES MAGISTRATE JUDGE  
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